



Order Filed on April 4, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

DISTRICT OF NEW JERSEY
UNITED STATES BANKRUPTCY COURT

Caption in Compliance with D.N.J. LBR 9004-2(c)

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for the Certificateholders of Cwalt Alternative
Loan Trust 2005-J9, Mortgage Pass-Through
Certificates, Series 2005-J9 by its servicing agent
Bayview Loan Servicing, LLC

In Re:

MICHAEL KALFUS AND ROBIN KALFUS,

Debtors.

Case No.: 18-13396-VFP

Hearing Date: March 19, 2019


Judge: Hon. Vincent F. Papalia

Chapter: 7

ORDER VACATING AUTOMATIC STAY

The relief set forth on the following page, numbered two (2) is hereby **ORDERED**.

DATED: April 4, 2019



Honorable Vincent F. Papalia
United States Bankruptcy Judge

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Debtors: **MICHAEL KALFUS AND ROBIN KALFUS,**

Case No. : **18-13396-VFP**

Caption of Order: **Order Vacating Automatic Stay**

Upon the motion of Creditor, The Bank of New York Mellon, FKA The Bank of New York, as Trustee for the Certificateholders of Cwalt Alternative Loan Trust 2005-J9, Mortgage Pass-Through Certificates, Series 2005-J9 by its servicing agent Bayview Loan Servicing, LLC, on behalf of itself and its successors and/or assigns (hereinafter collectively “Secured Creditor” and/or Movant), under Bankruptcy Code §362(d) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown,

ORDERED as follows:

1. The automatic stay of Bankruptcy Code Section 362(a) is vacated to permit the movant its successors and/or assigns to institute or resume and prosecute to conclusion one or more action(s) in the court(s) of appropriate jurisdiction to foreclose mortgage(s) held by the movant upon the following:

Land and premises commonly known as **106 Brookside Drive, Killington, Vermont 05751**

It is further ORDERED that the movant, its successors or assignees, may proceed with its right and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff’s sale, in addition to potentially pursuing other loss mitigation alternatives, including but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff’s sale (or purchaser’s assignee) may take any legal action for enforcement to possession of the property.

The movant may join the debtors and any trustee appointed in this case as defendants in its foreclosure action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this Order on the debtors, any trustee and any other party who entered an appearance on the motion.

The Trustee shall receive notice of any surplus monies received.